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PATENT
Customer No. 22,852
Attorney Docket No. 06882.0090-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Gary T. Neel et al.) Group Art Unit: 3736
)
Application No.: 10/706,663) Examiner: To Be Assigned
)
Filed: November 12, 2003)
)
For: Systems and Methods for Blood)
Glucose Sensing)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, except for U.S. Patents 6,413,213 and 5,989,917, were previously submitted in a prior application, Application No. 10/286,648, filing date November 1, 2002, now Patent No. 6,743,635, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120.

In light of the waiver of 37 C.F.R. § 1.98(a)(2)(i) provided in 1273 OG 55 for patent applications filed after June 30, 2003, copies of U.S. Patents 6,413,213 and 5,989,917 are not required and therefore are not enclosed.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should it be applied against the claims of the present application.

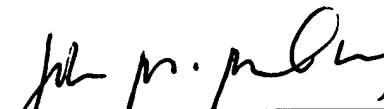
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

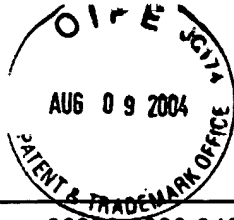
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 9, 2004

By: _____



John M. Mulcahy
Reg. No. 55,940



INFORMATION DISCLOSURE CITATION

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Examiner

Date Considered

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